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I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 9, 2006.

Jacquelyn P. Bolin

Atty. Docket No. CHM-003

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

In the Application of :

Jeffrey Allen WHITSETT :

Confirmation No.: 4312

Serial No.: 10/551,105 :

Art Unit: N/A

Filing Date: September 26, 2005 :

Examiner: N/A

For: USE OF FGF-18 PROTEIN, TARGET PROTEINS AND  
THEIR RESPECTIVE ENCODING NUCLEOTIDE  
SEQUENCES TO INDUCE CARTILAGE FORMATION

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.56, 1.97 AND 1.98**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR §§1.56, 1.97 and 1.98, Applicant request the Examiner to make of record the documents listed on the attached PTO/SB/08 form in connection with examination of the above-identified patent application. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b). In accordance with 37 C.F.R. §1.98(a)(2), Applicants are submitting copies of non-patent literature.

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due.

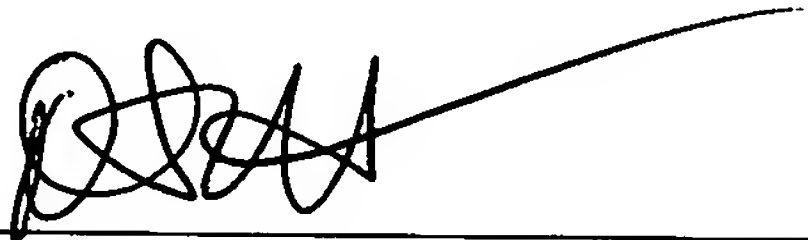
This submission does not represent that a search has been made or that no closer art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law,

Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,  
For: Jeffrey Allen WHITSETT

By:

  
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Daniel F. Nesbitt  
Attorney for Applicant  
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Customer Number 38155

June 9, 2006

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<i>Complete if Known</i>	
				Application Number	10/551,105
				Filing Date	September 26, 2005
				First Named Inventor	WHITSETT
				Art Unit	N/A
				Examiner Name	N/A
Sheet	1	of	2	Attorney Docket Number	CHM-003

U. S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)				
		US	4,642,120	02/10/1987	Nevo et al.	
		US	5,401,832	03/28/1995	Linemeyer et al	
		US	5,408,040	04/18/1995	Grotendorst et al.	
		US	5,439,818	08/08/1995	Fiddes et al.	
		US	5,514,566	05/07/1996	Fiddes et al.	
		US	5,585,270	12/17/1996	Grotendorst et al.	
		US	5,604,293	02/18/1997	Fiddes et al.	
		US	5,612,211	03/18/1997	Wilson et al.	
		US	5,614,496	03/25/1997	Dunstan et al.	
		US	5,656,598	08/12/1997	Dunstan et al.	
		US	5,686,116	11/11/1997	Bockman et al.	
		US	5,700,774	12/23/1997	Hattersley et al.	
		US	5,736,372	04/07/1998	Vacanti et al	
		US	5,786,217	07/28/1998	Tubo et al.	
		US	5,837,258	11/17/1998	Grotendorst	
		US	5,902,785	05/11/1999	Hattersley et al.	
		US	5,989,866	11/23/1999	Deisher et al.	
		US	6,179,871	01/30/2001	Halpern	
		US	6,258,778	07/10/2001	Rodgers et al.	
		US	6,267,954	07/31/2001	Abitbol et al.	
		US	6,274,712	08/14/2001	Springer et al.	
		US	6,312,952	11/06/2001	Hicks, Jr.	
		US	6,429,013	08/06/2002	Halvorsen et al.	
		US	6,645,205	10/15/2002	Hicks, Jr.	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) volume-issue number(s), publisher, city and/or country where published.		
		BRADHAM et al., "In Vivo Cartilage Formation From Growth Factor Modulated Articular Chondrocytes", <i>Clinical Orthopedics and Related Research</i> , Number 352 (1998) pp. 239-249		
		ELLSWORTH et al., "Fibroblast Growth Factor-18 is a Trophic Factor for Mature Chondrocytes and Their Progenitors", <i>Osteoarthritis and Cartilage</i> , 10 (2002) pp. 308-320		
		EMOTO et al., "Structure and Expression of Human Fibroblast Growth Factor-10," J. Biol. Chem., 272:37 (1997), pp. 23191-94		

Examiner Signature		Date Considered	
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			Examiner Name	N/A
Sheet	2	of	Attorney Docket Number	CHM-003

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		HU et al., "FGF-18, a Novel Member of the Fibroblast Growth Factor Family, Stimulates Hepatic and Intestinal proliferation," <i>Mol. Cell. Biol.</i> , (1998), Vol. 18 (No. 10), pp. 6063-74		
		HU et al., "Human Fibroblast Growth Factor-18 Stimulates Fibroblast Cell Proliferation and is Mapped to Chromosome 14p11," <i>Oncogene</i> , 18:16 (1999), pp. 2635-42	Abstract	
		LIU et al., "Coordination of Chondrogenesis and Osteogenesis by Fibroblast Growth Factor 18" <i>Genes &amp; Development</i> , 16 (2002) pp. 859-869		
		MILLER et al., "Role of Sonic Hedgehog in Patterning of Tracheal-Bronchial Cartilage and Peripheral Lung", <i>Dev. Dyn.</i> 231 (2004) pp. 57-71		
		OHBAYASHI et al., "FGF18 is Required for Normal Cell Proliferation and Differentiation During Osteogenesis and Chondrogenesis," <i>Genes &amp; Development</i> , 16 (2002), pp. 870-79		
		OHBAYASHI et al., "Structure and Expression of the mRNA Encoding a Novel Fibroblast Growth Factor, FGF-18," <i>J. Biol. Chem.</i> , Vol. 273, No. 29 (1998) pp. 18161-64		
		SHIMOAKA et al., "Regulation of Osteoblast, Chondrocyte, and Osteoclast Functions by Fibroblast Growth Factor (FGF)-18 in Comparison with FGF-2 and FGF-10." <i>J. Biol. Chem.</i> , Vol. 277, No. 9, (March 2002) pp. 7493-7500		
		WEKSLER et al., "Differential Effects of Fibroblast Growth Factor 18 (FGF) 9 and FGF2 on Proliferation, Differentiation and Terminal Differentiation of Chondrocytic Cells <i>in Vitro</i> ," <i>Biochem. J.</i> , 342 (1999), pp. 677-82		
		WHITMORE et al., "Assignment of Fibroblast Growth Factor 18 (FGF18) to Human Chromosome 5q34 by Use of Radiation Hybrid Mapping and Fluorescence in Situ Hybridization," <i>Cytogenet. Cell Genet.</i> 90 (2000), pp. 231-33		

Examiner Signature		Date Considered	
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